

EXHIBIT 3

Juror ID: _____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA
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-v-

19 Cr. 374 (JMF)

MICHAEL AVENATTI,

JURY QUESTIONNAIRE

Defendant.

PRELIMINARY INSTRUCTIONS

Please read the following instructions carefully before completing any portion of this questionnaire. Please print your juror number in the space provided at the top of each page. Please answer each and every question by circling your response or by providing the information requested. Please answer each question fully. Some questions have more than one part.

YOU ARE SWORN TO GIVE TRUE AND COMPLETE ANSWERS TO ALL QUESTIONS IN THIS QUESTIONNAIRE. This questionnaire is designed to help simplify and shorten the jury selection process. The purpose of the questionnaire is to determine whether prospective jurors can decide this case impartially based upon the evidence presented at trial and the legal instructions given by the presiding judge. The questions are not intended to inquire unnecessarily into personal matters. Although some of the questions may appear to be of a personal nature, please understand that the Court and the parties must learn enough information about each juror's background and experiences to select a fair and impartial jury.

Please answer all questions to the best of your ability. If you do not know the answer to a question then write, "I don't know." There are no "right" or "wrong" answers, only truthful answers. If you have strong feelings about this case in general, please do not hesitate to share them. Although you may be a perfectly good juror in another case, this may or may not be the right case for you to sit on as an impartial juror. Both parties have the right to get honest answers and to hear your true opinions. Do not discuss the case or your answers with anyone. It is important that the answers be yours alone. Remember, you are sworn to give true and complete answers to all questions.

If you need extra space to answer any question, please use the extra blank sheets of paper included at the end of the questionnaire. Be sure to indicate on the blank page the number of the question you are answering. Do not write anything on the back of any page.

DO NOT DISCUSS YOUR QUESTIONS AND ANSWERS OR THE CASE WITH ANYONE, NOW OR UNTIL FURTHER INSTRUCTED BY THE COURT. You should not discuss the questions or answers with fellow jurors. It is very important that your answers be

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your own individual answers. More broadly, do not discuss the case with anyone, including the lawyers (except in the presence of the Court), your fellow jurors, your family, your friends, or anyone else. Do not communicate about the case in any way, including telephone, e-mail, any social media app or website (such as Facebook), any communications app or website (such as Twitter). You must also avoid reading or hearing about the case (or anyone participating in the case) in newspapers, in magazines, on the radio or television, or on the Internet.

DO NOT DO YOUR OWN RESEARCH ON THE CASE. Do not conduct any research into Michael Avenatti, Stephanie Clifford (aka Stormy Daniels), or the case (or anyone participating in the case) at any time before your entire jury service has been completed. That includes performing Internet searches, asking other people about the case, reading news stories, books, or reports about the case, or watching films or television programs that relate to the case. Do not read, watch, or listen to any information about this case or the individuals participating in the case. If you are exposed to any such information, please immediately alert the Court.

If you believe that any of your answers contain private information that could embarrass you or otherwise seriously compromise your privacy and wish to request that the Court keep them confidential and not distribute them beyond the judge and counsel, you may indicate that on one of the blank pages at the end of this form. (Please identify the specific answer or answers that you believe should remain confidential.) After a jury has been selected, all copies of your responses to the questionnaire will be returned to the Court.

SUMMARY OF THE CASE

The Court is selecting a jury for a two- to three-week trial commencing on Monday, January 24, 2022. Thus, it should end no later than about Friday, February 11, 2022.

This is a criminal case. The defendant, Michael Avenatti, has been charged in an indictment with wire fraud and aggravated identity theft. The indictment is not evidence. It simply contains the charges—referred to as “counts”—that the Government intends to prove to the jury at trial beyond a reasonable doubt.

The indictment contains two counts. Count One charges that Mr. Avenatti devised a scheme to defraud his client, Stephanie Clifford, who is also known as “Stormy Daniels,” by taking for himself payments due to Ms. Daniels pursuant to her book contract. The Government further alleges that Mr. Avenatti then used those payments for his own purposes and falsely represented to Ms. Daniels that the payments had not been made. Count Two charges that Mr. Avenatti used Ms. Daniels’s identity—and, more specifically, her name and signature—without her permission, on a document in which he allegedly falsely represented to Ms. Daniels’s book agent that Ms. Daniels had given authorization for the payments to be sent by wire to an account controlled by Mr. Avenatti.

Mr. Avenatti has pled not guilty to both charges and denies these allegations. Mr. Avenatti is presumed innocent and that presumption of innocence continues unless or until you determine that the Government has proved each element of the crimes charged beyond a reasonable doubt.

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(Please turn the page and read and complete the questionnaire.)

Juror ID: _____

PLEASE ANSWER THE FOLLOWING QUESTIONS:**TRIAL SCHEDULE AND PERSONAL HARDSHIP**

Potential jurors will be called back for further questioning and jury selection on Thursday, January 20, 2022. The trial will commence immediately thereafter. Generally, trial will be held five days per week, Monday through Friday, from 9:00 a.m. until 2:30 p.m., with one (and only one) half hour break during the day. **The trial is expected to last two to three weeks (that is, ending no later than Friday, February 11, 2022).**

If you are selected as a juror, you will be required to be present for the taking of testimony and evidence for as long as the trial lasts. There are no plans to sequester the jury, which means you will go home every day after court.

The Court views service on a jury to be one of the highest duties a citizen owes to the United States. Mere inconvenience or the usual financial hardship of jury service will not be sufficient to excuse a prospective juror. You must show extraordinary personal or financial hardship to be excused from service.

1. Do you wish for this questionnaire to remain confidential?YesNo

1. Do any circumstances exist such that serving on the jury in this case would entail serious hardship or extreme inconvenience? (Please circle.)

Yes
No
2. If the answer to Question #1 was yes, please briefly describe the undue hardship or extreme inconvenience:

3. Do you have any difficulty reading, speaking, or understanding English? (Please circle.)

Yes
No
4. Do you have any mental or physical condition or illness that makes you unable to serve on a jury? (Please circle.)

Yes
No

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5. If the answer to Question #4 was yes, please briefly describe the condition or illness:

**Whether or not you claim a hardship, you
must complete the rest of this questionnaire.**

BACKGROUND

6. How old are you? _____
7. Are you a citizen of the United States? (Please circle.)
Yes No
8. In what county of New York do you live? _____
9. Approximately how long have you lived in that county? _____
10. In what other county or counties, if any, have you lived in the last five years?

11. Who are the other members of your household, if any, and what, if anything, do they do for work?

12. Do you have grown children? If so, how many and what, if anything, do they do for work?

13. What newspapers or magazines do you read on a regular basis?

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14. What television channels or shows, websites, radio stations, magazines, newspapers, or applications do you visit, use, watch, or read on a regular basis to get the news?

15. What television channels or shows do you watch on a regular basis?

16. Do you belong to or volunteer your time to any associations, organizations, clubs, or unions? If so, please list the group and explain your involvement and list any titles or roles you may have or have had in the leadership of such group.

17. What do you like to do in your spare time?

18. Have you ever served as a juror? (Please circle.)

Yes

No

19. **If the answer to Question #18 was yes**, please complete as appropriate (**but please do not state what the verdict in any case was**).

a. Civil Cases

Number of times: _____

Number of: _____ Federal cases _____ State cases

1. For each: Was the jury asked to reach a verdict? (Please circle; continue answers to the right as necessary.)

Yes

No

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2. For each: If so, did the jury reach a verdict? (Please circle; continue answers to the right as necessary.)

Yes No

3. For each: Were you the foreperson? (Please circle; continue answers to the right as necessary.)

Yes No

b. Criminal Cases

Number of times: _____

Number of: _____ Federal cases _____ State cases

1. For each: Was the jury asked to reach a verdict? (Please circle; continue answers to the right as necessary.)

Yes No

2. For each: If so, did the jury reach a verdict? (Please circle; continue answers to the right as necessary.)

Yes No

3. For each: Were you the foreperson? (Please circle; continue answers to the right as necessary.)

Yes No

c. Grand Jury

Number of times: _____

Number of: _____ Federal cases _____ State cases

20. This is a criminal case. Among other things, that means that the burden of proof differs from the burdens of proof that apply in a civil case or in the grand jury. If you have previously served as a juror in a civil case or on a grand jury, would you be able to follow the Court's instructions with respect to the burdens that apply in this case? (Please circle.)

Yes No

21. If you have previously served as a juror, was there anything about your jury experience that would make you unable to be fair and impartial in this case? (Please circle.)

Yes No

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22. If the answer to Question #21 was yes, please describe why it would be difficult for you to be impartial:

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EDUCATION & EMPLOYMENT

23. How far did you go in school?

24. If you attended graduate or professional school, please specify your area of study and what degree you received, if any:

25. If you are currently employed, please tell us about your job:

Do you work more than one job? _____

What is your job description? _____

How long have you worked at your job? _____

If you have held your job for fewer than five years, what did you do previously?

26. If you are retired:

When did you retire? _____

How long did you work at your last job? _____

What was your title or job description? _____

27. If you are not employed outside the home, are you:

_____ A student? Where do you attend school? _____

How many days a week do you attend? _____

_____ A homemaker?

_____ Between jobs? If so, what is your usual employment? _____

_____ Disabled? What is the nature of the disability that prevents you from working?

_____ Other: _____

How long has it been since you were last employed outside the home?

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KNOWLEDGE AND OPINIONS OF THE CASE AND PARTIES

28. Do you or does any member of your family or a close friend personally know or have past or present dealings with Mr. Avenatti or any of his family members?

Yes

No

29. If the answer to Question #29 was yes, please state how you, a member of your family, or a close friend personally know Mr. Avenatti or any of his family members, and whether your relationship with him or any of his family members might make it difficult for you to be a fair and impartial juror in this case.

30. Before today, had you read, seen, or heard anything about criminal charges brought against Mr. Avenatti?

Yes

No

31. If the answer to Question #31 was yes, please state what you remember hearing, and how or from whom you may have heard (*e.g.*, a friend, the newspaper, a website).

32. Aside from anything you may have read, seen, or heard about criminal charges brought against Mr. Avenatti, before today, had you read, seen, or heard anything else about Mr. Avenatti?

Yes

No

33. If the answer to Question #33 was yes, please state what you remember hearing and how or from whom you may have heard about Mr. Avenatti (*e.g.*, a friend, the newspaper, a website) and what you remember hearing.

34. Based on anything that you have read, seen, or heard about Mr. Avenatti, including anything about legal matters concerning Mr. Avenatti, have you formed any opinions about Mr. Avenatti that might make it difficult for you to be a fair and impartial juror in this case?

Yes

No

Not applicable, I have not read/seen/heard about Mr. Avenatti

35. If the answer to Question #34 was yes, please explain why it might be difficult for you to be a fair and impartial juror in this case.

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36. Based on anything you have read, seen, or heard about Mr. Avenatti, including anything about legal matters related to Mr. Avenatti, would you be able to follow the Court's instruction to put that information out of your mind and decide this case based only on the evidence presented at trial?

Yes

No

Not applicable, I have not read/seen/heard about Mr. Avenatti

37. Do you or does any member of your family or a close friend personally know or have past or present dealings with Ms. Daniels or any of her family members?

Yes

No

38. If the answer to Question #37 was yes, please state how you, a member of your family, or a close friend personally know Ms. Daniels or any of her family members, and whether your relationship with her or any of her family members might make it difficult for you to be a fair and impartial juror in this case.

39. Before today, had you read, seen, or heard anything about Ms. Daniels, including legal matters?

Yes

No

40. If the answer to Question #39 was yes, please state what you remember hearing, and how or from whom you may have heard (*e.g.*, a friend, the newspaper, a website).

41. Based on anything that you have read, seen, or heard about Ms. Daniels, including about any legal matters, have you formed any opinions about Ms. Daniels that might make it difficult for you to be a fair and impartial juror in this case?

Yes

No

Not applicable, I have not read/seen/heard about Ms. Daniels

42. If the answer to Question #41 was yes, please explain why it might be difficult for you to be a fair and impartial juror in this case.

43. Based on anything you have read, seen, or heard about Ms. Daniels, would you be able to follow the Court's instruction to put that information out of your mind and decide this case based only on the evidence presented at trial?

Yes

No

Not applicable, I have not read/seen/heard about Ms. Daniels

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44. Do you know or have you heard of any of the following people or entities, which include the lawyers in this case, people who may testify at the trial, and other names that may be mentioned during the course of the trial? (Please circle any for whom or which the answer is yes.)

- | | |
|-------------------------------|------------------------------------|
| • Emily Abrams | • Macmillan Publishers |
| • Pamela Baez | • Susan McClaran |
| • Robert Baum | • Benjamin Meiselas |
| • Elizabeth Beier | • Travis Miller |
| • Clark Brewster | • Mareli Miniutti |
| • Christine Carlin | • Denver Nicks |
| • Dmitri Chitov | • David Padilla |
| • Dwayne Crawford | • Brandon Parraway |
| • Andrew Dalack | • DeLeassa Penland |
| • Christopher De Grandpre | • Matthew Podolsky |
| • Nora Engstrom | • Pro Tech Security and Automation |
| • Anna Finkel | • Judy Regnier |
| • Mark Geragos | • Sally Richardson |
| • Tamara Giwa | • Security and Automation LLC |
| • Jack Guiragosian | • St. Martin's Press |
| • Luke Janklow | • Robert Sobelman |
| • Janklow & Nesbit Associates | • Justin Stone |
| • Geoffrey Johnson | • Mark Tuft |
| • Global Baristas | • Jessica Volchko |
| • Katrina Laperuta | • Juliet Vicari |
| • Sean Macias | • Donald Vilfer |
| | • Damian Williams |

45. If you circled any of the entries in Question #44, please describe your familiarity with that person or entity:

46. If you circled any of the entries in Question #44, would your familiarity with that person or entity it difficult for you to be impartial to the parties in this case and to decide the case based solely on the evidence presented at trial? (Please circle.)

Yes

No

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47. If the answer to Question #46 was yes, please describe why it would be difficult for you to be impartial.

48. You were instructed, and will be instructed throughout the trial, that you cannot read or listen to any accounts of this case in the media or on social media. Do you think this will be too difficult to do? If yes, please explain why:

49. Mr. Avenatti practiced as a civil trial lawyer who sued individuals and corporations. Would the fact that Mr. Avenatti is a lawyer affect your ability to be fair and impartial in this case? If yes, please explain why:

50. Are you, or anyone close to you, a lawyer? If yes, please describe who and your relationship to that person and whether that has left you with a negative, positive, or neutral impression of judges, prosecutors, defense attorneys, the criminal justice system, or lawyers generally.

51. Have you ever retained an attorney in a legal proceeding for which you had a written fee agreement or retainer agreement with the attorney? If yes, was there anything positive or negative about the experience of being represented by a lawyer?

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52. Have you, or someone close to you, ever had any contact with law enforcement officials that has caused you to form strong opinions, either positive or negative, regarding law enforcement? If yes, please describe:

53. Have you, or someone close to you, ever been employed in law enforcement (including state or local police departments, federal investigatory agencies such as the FBI, the Securities and Exchange Commission, any prosecutor's office, the Department of Corrections, any regulatory agency, etc.)? If yes, in what capacity?

54. Have you ever been involved in a civil or criminal proceeding **or investigation** as either a plaintiff, defendant, or witness? If yes, please describe the circumstances:

55. Do you believe that our laws provide criminals with too many rights? Too few rights?

56. Under our justice system, the facts are to be determined by the jury and the law is to be determined by the Court. These two responsibilities are separate and distinct. When the Court instructs you on the law at the end of the trial, you are required to accept the law as the Court states it even though you might disagree with it personally. Is there any reason why you would be unwilling or unable to apply the law as given to you by the Court? If yes, please describe:

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57. Michael Avenatti is presumed innocent and cannot be convicted unless the jury, unanimously and based solely on the evidence presented in court, decides that his guilt has been proven beyond a reasonable doubt. The burden of proving guilt beyond a reasonable doubt rests entirely with the Government. Michael Avenatti has no burden or proof whatsoever and he is not required to present any evidence. Would you have any difficulty following these rules? If yes, please explain why:

58. Under the law and the Constitution, Michael Avenatti need not testify in his own defense. If he does not testify, the jury is not permitted to consider that fact in any way in reaching a verdict. If he does not testify, would you hold this against him in any way?

DECLARATION

I, _____ (*print name*) declare under penalty of perjury that the foregoing answers set forth in this Jury Questionnaire are true and correct to the best of my knowledge and belief. I have not discussed my answers with others, or received assistance in completing the questionnaire.

Signed this _____ day of January, 2022

(signature)

Juror ID: _____

You may use these pages to finish any answers that you could not fit in the spaces provided above. If you write anything below, please indicate the number of the relevant question.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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[illegible]

Juror ID: _____

[illegible]

Juror ID: _____

DECLARATION

I, _____ (*print name*) declare under penalty of perjury that the foregoing answers set forth in this Jury Questionnaire are true and correct to the best of my knowledge and belief. I have not discussed my answers with others, or received assistance in completing the questionnaire.

Signed this _____ day of January, 2022

(signature)